

**BFP Committee Meeting  
Shoreline City Hall  
April 2, 2010**

Committee members: Ray Allshouse (Chair), Rod Bault (phone), John Cochran, Bob Koch (phone), Dale Wentworth, David Dewitte (Council member/guest).

Absent: Angie Homola

Staff: Tim Nogler, Joanne McCaughan

Guests: Paul Burkhardt, Mike Challenger, Ed Golden, Joe Lane, Eric Lohnes, Sean Martin, Paul O'Connor, Tom Phillips, Gaylord Pierson, Kraig Stevenson.

Ray called the meeting to order at 10:05.

John Cochran made a motion to approve the agenda; Bob Koch seconded; approved as written.

Code Change Proposals. Ray noted three options for the committee on how to proceed with the proposals:

- they can be assigned to a TAG;
- they can be deferred to a later date as the normal code cycle encompasses three years;
- they can be denied further action.

**IBC 1:** Tom Phillips provided a handout regarding the proposal. It is regarding five-story woodframe construction. This proposal would allow buildings to be five stories instead of four stories at a certain height (60 feet). Exception 4 would allow for a sprinkler system to allow the five stories at a building height of 60 feet. Tom noted it is actually a restriction on height compared to the code. Sprinklers must be installed per NFPA 13 throughout the building. It would allow buildings to be reconfigured; the effect would be greater efficiency. It would allow more floor area to be built on a constrained lot; many jurisdictions already allow five story wood construction; this would allow it throughout the state, thus would provide consistency. There are some proposed changes to table 503, however the proposal does not address separations, nor increase occupant load. Building officials are frequently asked to allow this, so they are always looking for alternate methods. This proposal does not raise safety issues, though it may be perceived as such by some. Tom noted he is open to the idea of going up to 65 feet if another amendment is made to the proposal.

John Cochran asked if this proposal would allow five stories of R occupancy above an S-2 parking garage. Tom noted this would be allowed, but they would still need to measure the 60 feet from the ground up; it would allow the residential units to

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be limited to four stories, with a B occupancy on the first floor. John noted there could be either B or an M on the first floor.

Dale Wentworth asked if this means they could add a floor but not increase height. Tom noted that for many years the five story building was at 60 feet; it is not hard to build this configuration, when measured to the average of the roof height. John Cochran made a motion to move IBC 1 forward to the Building Code TAG for further consideration. Dale Wentworth seconded the motion; the motion carried.

**IBC 2 (IRC 8):** Ed Golden of Convenient Safety Systems presented the proposal on Roof Assemblies; he was assisted by Joe Lane, a lobbyist for the issue. They reviewed information from L&I regarding workplace injury claims related to falls from height. The state paid \$42.5 million total over a five year period (2003-2007) for such claims, including fatalities, permanent and partial disability cases, time loss cases and medical only claims. They indicated a consistent rule is needed to comply with existing state and federal regulations. IRC section 312 requires a guardrail where a walking surface is more than 30 inches above grade. Current rules provide for a railing to allow for roofs to be protected, but many injuries and deaths occur each year regardless. They noted many different types of safety equipment are put on roofs during the construction phase, but almost no one is addressing roof protection for maintenance issues over the life of the building. These include the need for protection where HVAC equipment and solar panels are placed on the roof. Insurance companies address the need to remove moss from roofs, and may deny coverage to homeowners who do not comply. However, safety considerations are not addressed; fall restraint and fall arrest is needed for all building types, including residential construction. Lane noted that there was a legislative proposal in 1999 that provided for an average of 3 anchors per house at a cost of around \$60 per house at that time. Golden noted these should be installed at the time of new construction or any reconstruction of the roof. It would allow those who need to get onto the roof to be protected. There is currently an exemption for inspectors, but they also have accidents; this should be addressed.

Lane noted that L&I pays out millions of dollars in claims for injuries and deaths due to such accidents. He said it is criminal not to have this in the law. Many of those injured are young workers who wind up with lifelong disabilities. The public ends up paying the bill.

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Golden said in addition there are requirements for the 'first man up' exemption to be protected. It should be mandatory on anything over a '4-12' roof. Golden noted it is much like flying, getting up and down is the worst part of the job. The fact that the small time service person is going to have to do the maintenance, this adds a lot of cost to the homeowner as they charge high rates. If the systems were installed by roofers during the original building phase it would be preferable, because proper installation is critical; if they are not correctly attached they are very dangerous. He said homeowners don't want anchors to be retrofit, and he cost is about \$3500 to retrofit a roof for anchors. Another consideration is long term roof maintenance.

Joe said the appropriate time to install the anchor is when a reroof occurs. Anchors are not installed correctly so safety is an illusion. Joe asked for a committee referral and assistance with the correct code language. He noted the Council should take a hard look at this, and stated that L&I staff directed them to come to SBCC to have these issues addressed.

Michael Challenger addressed questions from committee members. He was hired by Lane and Golden to review the issues and assist them with the process.

John Cochran asked whether 'roof access safety mechanism' is a defined term? He noted it might be desirable to have some definition of that terminology.

Challenger noted that there is an understanding that there are a number of safety devices that would be able to meet the criteria. Any number of possibilities could exist. He noted that the L&I WAC defines a number of these devices as taken from OSHA; The WAC and OSHA have strict numbers and values for the weights allowed by the devices, 5000 pounds load for fall arrest and 4000 pound load for fall restraint. Many of the current 'temporary restraints' are not adequate. The WAC covers the whole system, harness, lanyard, etc, but not the mechanism for getting to the anchor. Many people who try to do maintenance on their roofs do not have the physical ability to get there without risking grave injury.

Ed noted that there have been certain changes in roofing products over the years, and this has resulted in certain roof surfaces becoming less safe to walk on, eg, composites. There are some items developed and utilized for the industry that actually result in greater risk of injury, e.g., foam soles to slip over shoes. When certain roof surfaces are wet, these actually create a more dangerous scenario.

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John asked if this would apply to all buildings. Ray noted the proposal would modify both IRC and IBC.

Dale Wentworth made a motion to forward the proposal(s) to the Council for emergency rulemaking. Rod Bault seconded the motion. John noted the Council may need some help in crafting the technical aspects of the code language.

He asked Tim how the Council would be able to handle it, and whether would they be able to simply move it forward or if technical review would be needed initially. Tim noted that technical review would be necessary and it could be worked on sometime later in the year. The motion was modified to allow the technical review.

Kraig Stevenson of ICC asked to address the proposal. He noted that ICC supports the proposal being forwarded to the TAG for review and rulemaking. He noted we would have the opportunity to get a lot of good technical information to possibly bring this forward to the national arena. In order to get this to that level there needs to be technical discussion; there is already a standard established regarding these systems, ANSI 359.1.

The vote was called on the motion including providing for technical review; the motion passed by unanimous vote, including both IBC 2 and IRC 8.

Ray noted that proposals IRC 1 through IRC 7 are all from Annie O'Rourke; as she could not be here today, he discussed the issues with her. He explained that the rationale is the same for several of the proposals, and recommends the committee consider them as a group.

**IRC 1:** Ray explained this proposal combines certain sections to simplify language. The rewrite of Chapter 3 broke up language from the 2006 code; there are editorial corrections and changes due to logical placement of the language related to the protection of openings and separation between dwellings, carports and garages. The proposal would also add a drainage section for better language flow.

John Cochran made a motion to forward IRC 1 to the IRC TAG for consideration; seconded by Dale Wentworth. The motion was approved.

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**IRC 2 through IRC 7:** Ray explained all of these proposals pertain to Chapter 4; Annie O'Rourke's rationale noted that when the 2009 code was published she had not realized how significant the changes were in Chapter 4; she realized later that several changes need some more work to be user friendly in the field and ensure greater compliance.

Dale Wentworth made and Bob seconded a motion to move all of these proposals IRC 2 through IRC 7 to the TAG for action.

Tim Nogler noted that IRC 7 is an extensive reorganization of Chapter 4; O'Rourke is very detail oriented. We would be entirely replacing Chapter 4 with this language as re-organized. He noted the changes could be held until 2012. Ray noted that he broached that subject with her; she did not believe an emergency existed, but that it could be addressed and eventually go to the model code. It is not an immediate emergency and does not require emergency rulemaking.

The motion to move IRC 3 through IRC 7 to the TAG for further consideration was approved by unanimous vote.

**IFC 1:** Tim explained this proposal addresses Section 903.2.7 for both Building and Fire Code, limiting the sprinkler requirement in certain furniture stores to occupancies at 5000 sq. ft. or above; in the 2009 code the language was silent regarding the minimum size of the furniture stores that would need to be sprinklered. This was an oversight, as at the committee hearings the intention to place a limit was clear.

John Cochran made and Dale seconded a motion to move IFC 1 to the IFC TAG for consideration for emergency rulemaking. The motion carried by unanimous vote.

**IRC 9:** Ray Allshouse opened discussion on this proposal that was recently presented to the MVE committee by Patrick Hayes, the proponent.

Tim stated there are some fairly significant differences between this proposal and what was adopted by the Council for the 2009 WSEC. The proposal IRC 9 does not contain the 2009 WSEC "additional requirements" (chapter 9). Duct leakage testing for alterations is not required. Air leakage testing for the building is not

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required. The glazing U value is less restrictive. The proposal IRC 9 is to allow a TAG review of both, and have them decide what is “reasonable”. This would represent a less restrictive code. Once the 2009 WSEC goes into effect on July 1, 2010 there will be limits to adopting less restrictive provisions.

Ray said the intent is to maintain the level of energy efficiency. He noted there were previous discussions about utilizing the TAG that has the most expertise. This raises a question of whether there need to be additional representatives appointed.

John Cochran noted that certain previous decisions were made to move this to the IRC TAG, but the Council ultimately will need to be in compliance with the most restrictive of the codes.

Dale Wentworth asked about how this would fit into the emergency rule and how that would be justified. Tim Nogler noted the Council would need to make a decision that there was some emergent impact, e.g., economic impacts. Dale asked if it would be appropriate to have both TAGS address the proposal, and John C replied that that could cause conflict between the TAGS. Ray noted that the intent of the IRC is to be prescriptive for residential, but it could be done different ways. The goal is adoption that would basically be IECC type language, but it would need to be equivalent to the 2009 WSEC in stringency.

John asked if a new TAG need s to be created. Dale replied that it could be sent to both TAGs for consultation. It could be sent to the IRC TAG in consultation with the Energy TAG. Paul Burkhardt noted that the Council could call for a special joint meeting of the two TAGs. Ray indicated there would need to be discussion about the process and decision making outcomes. Tim indicated that the direction would be to be equivalent to the 2009 WSEC.

Dale Wentworth made and Bob Koch seconded a motion to have IRC 9 forwarded to both the IRC and the Energy TAG for consideration with the goal being to make the language equivalent to the 2009 WSEC. The motion carried.

**IRC 10/UPC 1:** Dale Wentworth made a motion to forward this item to the Plumbing TAG. Rod Bault seconded. Motion carried.

**UPC 2:** Dale Wentworth made a motion to forward to Plumbing TAG. John Cochran seconded. Motion carried.

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**UPC 3:** Dale Wentworth made a motion to forward to the Plumbing TAG. John Cochran seconded. Motion carried.

**UPC 4:** Dale Wentworth made a motion to forward to the Plumbing TAG. John Cochran seconded. Motion carried.

Staff report: Tim noted that Joanne McCaughan is entering her second year as staff. He also acknowledged Sue Mathers retired recently; we are looking at a reassignment from within the agency. Ray asked about our budget and changes in the level of permit fees. Tim noted we are not seeing a reduction in the budget at this time since our revenue is based on a flat fee. To date, we have been within one percent of our projections, made in late 2008. The current projections were based on historical numbers.

Other business: Dale Wentworth wants the plumbing code to review the Green Plumbing/Building Code provided by IAPMO. He made a motion to this effect, seconded by John Cochran. Tim noted we do have a Green Building TAG waiting to be formed, and JC noted that as a friendly amendment. Kraig Stevenson asked if the IGCC would also be included? Dale asked if the ICC green code had been published as a final document. Kraig noted he has a review draft. Dale acknowledged the request as a friendly amendment. Kraig noted the IGCC does deal specifically with water issues. He has requested copies. He noted there is a performance path and a prescriptive path, and it can be followed in the IGCC; it ties many issues together. John Cochran indicated that Council Member Tien Peng had volunteered to chair the new TAG.

The motion with the friendly amendment would refer both documents to the new Sustainability/Green Building TAG. The motion carried.

Other business: TN noted that there was a recent New York Times editorial about construction codes and seismic issues, and noting that the Northwest, Seattle in particular, is very vulnerable. The article has drawn a great deal of local interest and response to show that our seismic code is addressing issues. Tim met with folks this week at Camp Murray to review seismic issues and maps, and reported that there will be additional discussion. Ray Allshouse indicated there will be a lot of study related to current seismic events that will ultimately involve additional evolution of the code.

There being no further business, the meeting was adjourned at 11:30.